

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

No. 17-20274

Plaintiff,

Hon. Bernard Friedman

v.

D-1 JUMANA NAGARWALA,

D-2 FAKHRUDDIN ATTAR,

D-3 FARIDA ATTAR,

Defendants.

/

**STIPULATION AND ORDER TO ADJOURN DATES**

**IT IS STIPULATED AND AGREED**, by the above parties, through their respective counsel, that there is good cause to adjourn the trial in this matter. Defendants have filed a motion to compel (R. 31), and the government has filed a sealed motion for a protective order. The motions are unresolved, and as a result, the government has not provided discovery to Defendants. Once Defendants receive discovery, they will need time to review the materials and may prepare additional motions. Defendants Fakhruddin Attar and Farida Attar have also filed motions seeking bond. (R. 41, 44.) In order to resolve the pending motions and to allow time for Defendants to review discovery, the

parties stipulate and agree that the plea hearing/pre-trial conference shall be adjourned from June 6, 2017 to September 19, 2017, and that the trial date shall be adjourned from June 27, 2017 to October 10, 2017.

**IT IS FURTHER STIPULATED AND AGREED** that the time period from June 27, 2017 to October 10, 2017 shall be deemed excludable delay under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161, in consideration of other proceedings concerning Defendants under Section 3161(h)(1), specifically that there are motions pending and the government has not yet provided discovery to Defendants, and Section 3161(h)(7)(A), that the ends of justice served by continuing the plea cut-off date and trial outweigh the best interests of the public and Defendants in a speedy trial.

**IT IS FURTHER STIPULATED AND AGREED** that an ends of justice continuance is appropriate. A continuance of the plea cut-off date and trial is necessary to allow defense counsel and the government additional time to produce discovery, review discovery, and prepare and file motions, which, under the Speedy Trial Act, are “other proceedings concerning the defendant,” 18 U.S.C. § 3161(h)(1); *see United States v.*

*Dunbar*, 357 F.3d 582, 593 (6th Cir. 2004); *United States v. Bowers*, 834 F.2d 607, 609-610 (6th Cir. 1987). Furthermore, the ends of justice served by continuing the trial outweigh the best interests of the public and Defendants in a speedy trial.

The parties stipulate and agree that the stipulation and any order resulting therefore shall not affect any previous order of pretrial detention or pretrial release. Accordingly, the parties request that under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(1) and (h)(7)(A), the period of delay, as a result of this continuance, shall be excluded in computing the

time within which the trial must commence.

**IT IS SO STIPULATED.**

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**ORDER ADJOURNING DATES**

This matter coming before the Court on the stipulation of the parties, it is hereby:

ORDERED that the plea hearing/pre-trial conference shall be adjourned from June 6, 2017 to September 19, 2017 at 11:00 a.m.;

ORDERED that trial shall be adjourned from June 27, 2017 to October 10, 2017;

The Court finds that Defendants' pending motion to compel (R. 31), the government's motion for a protective order, and Defendants Fakhruddin Attar and Farida Attar's motions for bond (R. 41, 44) are

“other proceedings concerning the defendant[s],” 18 U.S.C. § 3161(h)(1), and that the time to resolve these motions is excluded from the Speedy Trial calculation. The Court also finds that the ends of justice served by the delay outweigh the best interest of the public and Defendants in a speedy trial because the Defendants have not received discovery, and once they receive discovery, they will need time to review the materials to prepare for trial. 18 U.S.C. § 3161(h)(7).

Accordingly, it is ORDERED that the period from June 27, 2017 to October 10, 2017 shall be excluded from computing the time within which a trial must begin as “delay resulting from other proceedings concerning the defendant,” 18 U.S.C. § 3161(h)(1), and because the ends of justice served by this delay outweigh the best interest of the public and the defendant in a speedy trial, 18 U.S.C. § 3161(h)(7).

s/ Bernard A. Friedman  
BERNARD FRIEDMAN  
United States District Judge

Dated: May 30, 2017